

171.050 in subchapter S of this chapter, if:

- (1) Carrying not more than 150 passengers on a domestic voyage;
- (2) Carrying not more than 12 passengers on an international voyage; or
- (3) It has not more than one deck above the bulkhead deck, exclusive of a pilot house.

(b) The following vessels must meet the appropriate requirements of §§170.170, 170.173, 171.050, 171.055, and 171.057 in subchapter S of this chapter:

- (1) A vessel of more than 19.8 meters (65 feet) in length;
- (2) A vessel carrying more than 12 passengers on an international voyage; and
- (3) A vessel with more than 1 deck above the bulkhead deck exclusive of a pilot house.

[CGD 85-080, 61 FR 966, Jan. 10, 1996, as amended at 62 FR 51356, Sept. 30, 1997]

§ 178.320 Intact stability requirements.

(a) A vessel, except a pontoon vessel operating on protected waters, must undergo a simplified stability proof test in accordance with §178.330 of this part in the presence of a Coast Guard marine inspector.

(b) A pontoon vessel operating on protected waters must undergo a simplified stability proof test in accordance with §178.340 of this part in the presence of a Coast Guard marine inspector.

(c) The cognizant OCMI may dispense with the simplified stability proof test in §178.330 for a vessel carrying not more than 49 passengers where it can be established that, due to the form, arrangement, construction, number of decks, route, and operating restrictions of the vessel, the vessel's stability can be safely determined without such a test. Vessels which carry deck cargo must undergo a simplified stability proof test.

(d) A vessel whose stability is questioned by the cognizant OCMI must be shown by design calculations to meet the applicable stability criteria of §§170.170, 170.173, and 171.050 in subchapter S of this chapter in each condition of loading and operation.

(e) A simplified stability proof test in accordance with §178.330 is conducted to determine if a vessel, as built and

operated, has a minimum level of initial stability. Failure of the simplified test does not necessarily mean that the vessel lacks stability for the intended route, service, and operating condition, but that calculations or other methods must be used to evaluate the stability of the vessel.

[CGD 85-080, 61 FR 966, Jan. 10, 1996; 61 FR 20557, May 7, 1996]

§ 178.325 Intact stability requirements for a sailing vessel.

(a) Except as provided in paragraphs (b), (c) and (e) of this section, each sailing vessel must undergo a simplified stability proof test in accordance with §178.330 of this part in the presence of a Coast Guard marine inspector.

(b) Each of the following sailing vessels must meet the intact stability standards of §§170.170 and 171.055 in subchapter S of this chapter:

- (1) A vessel to be operated on exposed waters;
- (2) A vessel to be operated during non-daylight hours;
- (3) A vessel of unusual type, rig, or hull form, including vessels without a weathertight deck, such as open boats;
- (4) A vessel that carries more than 49 passengers;
- (5) A sailing school vessel that carries a combined total of six or more sailing school students or instructors;
- (6) A vessel on which downflooding occurs at angles of 60° or less; and
- (7) A vessel which has a cockpit longer than Length Over Deck (LOD)/5.

(c) A catamaran must meet the intact stability requirements of §171.057 in subchapter S of this chapter while under sail as well as the intact stability requirements of §170.170 in subchapter S of this chapter or §178.320 under barepoles (if an auxiliary sailing vessel) and with storm sails set and trimmed flat (if a sailing vessel).

(d) A sailing vessel that is not listed in paragraph (b) or (c) of this section and operates on partially protected waters must be equipped with a self-bailing cockpit.

(e) The cognizant OCMI may perform operational tests to determine whether the vessel has adequate stability and satisfactory handling characteristics